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SUPREME COURT OF THE UNITED STATES

IN RE MICHAEL SINDRAM

ON MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

No. 90-6051. Decided January 7, 1991

PER CURIAM.

Pro se petitioner Michael Sindram seeks an extraordinary writ pursuant to 28 U. S. C. § 1651 and requests permission to proceed *in forma pauperis* under this Court's Rule 39. This is petitioner's twenty-fourth filing before this Court in the October 1990 Term alone. Pursuant to our decision in *In re McDonald*, 489 U. S. 180 (1989), we deny the motion for leave to proceed *in forma pauperis*.

Petitioner is no stranger to this Court. In the last three years, he has filed 42 separate petitions and motions, including 20 petitions for certiorari, 15 petitions for rehearing, and 2 petitions for extraordinary writs.[1] Without recorded

[1] *See Sindram* v. *Reading*, No. 87-5734, *cert. denied* 484 U. S. 1013 (1988); motion to file late petition for rehearing denied 488 U. S. 935 (1988); *Sindram* v. *W & W Associates*, No. 87-6689, cert. denied, 486 U. S. 1024 (1988); motion to file late petition for rehearing denied, 488 U. S. 935 (1988); *Sindram* v. *Taylor*, No. 88-5386, cert. denied, 488 U. S. 911 (1988), rehearing denied, 488 U. S. 987 (1988); *Sindram* v. *Maryland*, No. 89-5039, cert. denied, 498 U. S. —— (Oct. 2, 1990); *In re Sindram*, No. 88-6538, petition for writ of habeas corpus denied 489 U. S. 1064 (1989); *Sindram* v. *Ahalt*, No. 89-6755, cert. denied, 494 U. S. —— (Apr. 16, 1990); *Sindram* v. *Consumer Protection Comm'n.*, No. 89-7266, cert. denied, 496 U. S. —— (June 18, 1990), rehearing denied, 497 U. S. —— (Aug. 13, 1990); *Sindram* v. *N. Richard Kimmel Prop.*, No. 89-7847, cert. denied, 498 U. S. —— (Oct. 1, 1990), rehearing denied, 496 U. S. —— (Nov. 13, 1990); *Sindram* v. *WSSC*, No. 89-7848, cert. denied, 498 U. S. —— (Oct. 1, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Garabedi*, No. 90-5335, cert. denied, 498 U. S. —— (Oct. 1, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Steuben Cty.*, No. 90-5351, cert. denied, 498 U. S. —— (Oct. 1, 1990), rehearingdenied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Abrams*, No. 90-5373, cert. denied, 498 U. S. —— (Oct. 1, 1990), rehearing denied,

dissent, the Court has denied all of his appeals, petitions, and motions.[2] Petitioner has nonetheless persisted in raising essentially the same arguments in an unending series of filings. Like the majority of petitioner's previous submissions to this Court, the instant petition relates to a speeding ticket that petitioner received on May 17, 1987, in Dorchester County, Maryland. Having already challenged his conviction for speeding in five different state and federal courts on 27 prior occasions, petitioner now requests that the Court issue a writ compelling the Maryland Court of Appeals to expedite consideration of his appeal in order that the speeding ticket may be expunged from his driving record. The petition for mandamus was filed less than three months after he filed his appeal with the Maryland court.

The mandamus petition alleges only that petitioner's "appeal in the lower court remains pending and unacted upon," and that "[a]s a direct and proximate cause of this dilatory action, Petitioner is unable to have his driving record expunged." Pet for Mandamus 2. The legal bases offered by petitioner for relief were presented in eight prior cert petitions and are identical to the claims unsuccessfully presented in at least 13 of petitioner's rehearing petitions.

As we made clear in *McDonald*, the granting of an extraordinary writ is, in itself, extraordinary. 484 U. S. at 184–185; see *Kerr* v. *United States District Court*, 426 U. S. 394, 402–403 (1976). On its face, this petition does not even remotely satisfy the requirements for issuance of an extraordinary writ. Petitioner has made no showing that "adequate relief cannot be had in any other form or from any other court" as required by this Court's Rule 20.1. He identifies no "drastic" circumstance to justify extraordinary relief (see *Ex parte Fahey*, 332 U. S. 258, 259 (1947)). Instead, he merely recites the same claims that he has presented to this Court in over a dozen prior petitions. Petitioner's request that we consider these claims yet again is both frivolous and abusive.

In *McDonald*, we denied *in forma pauperis* status to a petitioner who filed a similarly nugatory petition for extraordinary writ. 489 U. S. 180. As we explained, the Court waives filing fees and costs for indigent individuals in order to promote the interests of justice. The goal of fairly dispensing justice, however, is compromised when the Court is forced to devote its limited resources to the processing of repetitious and frivolous requests. *Pro se* petitioners have a greater capacity than most to disrupt the fair allocation of judicial resources because they are not subject to the financial considerations—filing fees and attorney's fees—that deter other litigants from filing frivolous petitions. *Id.*, at 184. The risks of abuse are particularly acute with respect to applications for extraordinary relief, since such petitions are not subject to any time limitations and, theoretically, could be filed at any time without limitation. In order to prevent frivolous petitions for extraordinary relief from unsettling the fair administration of justice, the Court has a

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498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Nissan Motor Corp.*, No. 90–5374, cert. denied, 498 U. S. —— (Oct. 1, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Ryan*, No. 90–5410, cert. denied, 498 U. S. —— (Oct. 9, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Sweeney*, No. 90–5456, cert. denied, 498 U. S. —— (Oct. 9, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Wallin*, 90–5577, cert. denied, 49 U. S. —— (Oct. 1, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *McKenna*, No. 90–5578, cert. denied, 498 U. S. —— (Oct. 29, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Lustine Chevrolet, Inc.*, No. 90–5698, cert. denied, 498 U. S. —— (Nov. 13, 1990); *Sindram* v. *Montgomery Cty.*, No. 90–5699, cert. denied, 498 U. S. —— (Oct. 29, 1990), rehearing denied, 498 U. S. —— (Nov. 13, 1990); and *Sindram* v. *Moran*, No. 90–5885, cert. denied, 498 U. S. —— (Nov. 26, 1990), pet. for rehearing pending. A response in *Sindram* v. *Maryland*, No. 90–5352, was received on November 19, 1990, and the petition for certiorari is presently pending.

[1] We have permitted petitioner to proceed *in forma pauperis* in each of these actions based upon his affidavit that he earns only $2,600 per year and has no assets of any value.

duty to deny *in forma pauperis* status to those individuals who have abused the system. Under the circumstances of this case, we find it appropriate to deny *in forma pauperis* status to petitioner in this and all future petitions for extraordinary relief.

Accordingly, if petitioner wishes to have his petition considered on its merits, he must pay the docketing fee required by Rule 38(a) and submit a petition in compliance with Rule 33 of the Rules of this Court before January 28, 1991. The Clerk is directed not to accept any further petitions from petitioner for extraordinary writs pursuant to 28 U. S. C. §§ 1651(a), 2241, and 2254(a), unless he pays the docketing fee required by Rule 38(a) and submits his petition in compliance with Rule 33. Petitioner remains free under the present order to file *in forma pauperis* requests for relief other than an extraordinary writ, if he qualifies under this Court's Rule 39 and does not similarly abuse that privilege.

It is so ordered.